

From: [Ann and Craig Barta](#)
To: [E-OHPSCA2713.EBSA](#)
Subject: This Physician Objects to contraceptive mandate
Date: Friday, September 30, 2011 7:32:00 PM

To Whom It May Concern at the Dept of Health and Human Services:

As an obstetrician/gynecologist with a conscience and a firm understanding that pregnancy is not a disease, I urge you to remove the divisive so-called 'contraceptive mandate' which is basically promising 'free' life-ending drugs and devices including the dangerous abortion-inducing drug 'ella' under the guise of 'necessary' preventive medical services.

I urge HHS to rescind the Health Resources and Services Administration (HRSA) guidelines that force insurance plans to cover "all FDA approved contraceptives" and "sterilization." The HRSA's mandate, issued under the Affordable Care Act (ACA) preventive services provision, clearly includes drugs and devices with known life-ending actions, including the abortion-inducing drug *ella*.

The mandate is an unprecedented attack on the conscience rights of many, and I would say the majority, of Americans, eviscerating the freedom of choice to purchase private insurance plans that do not cover certain drugs and devices to which they have an ethical, moral or religious objection. Applying to nearly all insurance plans, many Americans will be forced purchase insurance that violates their consciences.

The mandate is contrary to the assurance of Sen. Mikulski, author of the preventive services provision, that abortion would not be mandated "in any way." A selective progesterone receptor modulator (SPRM), *ella*, just like the FDA-approved abortion drug RU-486, can kill a human embryo after implantation. Thus, by including *ella*, HRSA exceeded or abused the discretion it was granted under the ACA in determining what constitutes "preventive services."

HHS' proposed accommodation for a narrowly-defined set of "religious employers" fails to protect conscience rights. Most religiously-affiliated schools, hospitals, and charitable organizations would NOT be protected. Non-religiously affiliated institutions (whose pro-life consciences are nonetheless violated by the mandate) are unquestionably UNprotected.

Conscience protections contained in the laws of several states are also disrupted. The guidelines and regulation supplant the reasoned judgment of the states with an ideologically-driven coercive measure.

Polling shows more Americans oppose than support the mandate; Rasmussen reports 46% oppose forcing "contraceptive" coverage, while only 39% approve.

I ask HHS to please, take immediate action to revoke these inappropriate, coercive guidelines which are not palatable for the vast majority of pro-life Americans, including large numbers of medical professionals, and large numbers of religiously affiliated hospitals.

Including myself, I may add.

Sincerely,

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Class of 1989